IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 16405 of 2006

DATED: 7-8-2006

Between:

G.Ram Kishan petitioner

And

Deccan Gramena Bank,
Door No. 9-27/1, 1st floor,
Lalithanagar,
Dilsukhnagar, Hyderabad
Rep by its Chairman Respondent

THE HON'BLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO. 16405 of 2006

ORAL ORDER:

The petitioner, in the present writ petition seeks a direction to the respondent to prepare the inter-se seniority list of the officers duly reckoning the merit obtained by them at the time of their appointment.

The petitioner claims that he was appointed as Branch Manager in Sri Saraswathi Grameena Bank, Adilabad in the year 1984 and promoted as MMGS-II Officer and continuing as such as on date. It is stated that
Sri Saraswathi Grameena Bank and Sri Sathavanaha Grameena Bank were amalgamated as Deccan Grameena Bank w.e.f. 26.4.2006 and petitioner is presently working in Deccan Grameena Bank as MMGS-II Officer. The petitioner contends that as per the service Regulations of the respondent bank, the seniority of the employee shall be determined from the date of appointment and the inter-se seniority shall be reckoned basing the merit obtained by the individual in the cadre at the time of appointment.
The petitioner alleges that consequent on his appointment, in the seniority list dated 13.6.1998 he was placed at serial no.13 and there after the erstwhile Sri Saraswathi Grameena Bank issued provisional seniority lists on 4.7.1994 and 20.4.1999 disturbing his position in the seniority list and his juniors were placed above him. The petitioner made several representations requesting to restore his seniority and to prepare a final seniority list, but alleges that no action is taken by the respondent. Hence, the present writ petition seeking a direction to the respondent to prepare inter-se seniority list basing on the merit obtained at the time of appointment.

Learned counsel for petitioner submitted that Chapter 3 Rule

13(1) (a) of Sri Saraswathi Grameena Bank (Staff) Service Regulations, 1983 mandates that the seniority of an officer shall be reckoned from the date of his appointment and the respondent bank for the reasons best known to it, for the last two decades has not prepared any final seniority list.

On the other hand, learned Standing Counsel for respondent bank submitted that merger of Sri Saraswathi Grameena Bank into Deccan Grameena Bank took place only in the month of March, 2006 and it is premature to state that respondent bank is ignoring the seniority of the petitioner or not preparing the seniority list.

Heard the learned counsel for petitioner and learned Standing Counsel for respondent bank.

The merger of the respondent bank and formation of Deccan Grameena Bank took place only in the month of March/April, 2006 and it would be premature to say that the respondent is ignoring the seniority of the petitioner or not preparing the seniority list in accordance with the statutory guidelines. Hence, the only direction that can be given in the writ petition is to direct the petitioner to make a fresh representation to the respondent and on filing such a representation, the respondent shall consider the same and take necessary steps for preparing the seniority list in accordance with law and the statutory guidelines. It is needless to mention that after preparation of seniority list, if the petitioner has any grievance, he is at liberty to challenge the seniority list, before the appropriate forum.

Accordingly, the writ petition is disposed of. No costs.

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N.V.RAMANA,J

DATE: 7-8-2006

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THE HON'BLE MR JUSTICE N.V. RAMANA

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